



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region

165 East 7th Avenue, Ste. 100

Eugene, OR 97401-3049

(541) 686-7838

September 12, 2023

Dave Williams
Marissa and Edwin Martinis
Dave's Auto Service
645 NW Adams St.
McMinnville, OR, 97218
Email: davewilliams1953@hotmail.com

RE: No Further Action Determination
for Dave's Shell McMinnville
LUST # 36-97-4028

Dear Dave Williams, Marissa, and Edwin Martinis:

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information for the Dave's Shell property (Property), including the closure report entitled Site Assessment Report (Revised June 30, 2023), originally dated May 31, 2023, which was submitted to DEQ by Alpha Environmental, on your behalf. The Dave's Shell address is 645 N. Adams Street, Tax Lot R4420AD 00600 (149761).

DEQ has determined that remedial action to address environmental contamination at Dave's Shell is complete, and no further action is required. This determination is a result of our evaluation and judgment based on the DEQ regulations and the facts as we now understand them including the following, and as more fully described in DEQ's Staff Memo dated July 26, 2023:

- The property is currently occupied by Dave's Auto Service, aka Dave's Shell, and was established in the 1980's.
- Following decommissioning and removal of four underground storage tanks (USTs) in 1997 visual and olfactory observations identified evidence of petroleum contamination. One 500-gallon waste oil tank was later discovered in 1999 and decommissioned by removal. Minor contamination was noted due to overfill.
- Affected media includes petroleum contaminated soil (PCS) below three feet of ground surface.
- A total of 62.88 tons of PCS was excavated, transported, and delivered for treatment at Riverbend Landfill in McMinnville.
- A small pocket of contamination (less than 2 cubic yards) was left in place due to inaccessibility to excavate the soils.
- Zoning for the property is General Commercial. Future use of property is anticipated to remain commercial and not change for the foreseeable future. Drinking water is supplied by the city of McMinnville. There is no beneficial use for shallow groundwater in the vicinity. No ecological habitat or receptors are on the Property. North Branch Cozine Creek is approximately .016 miles southwest of Property.

- The pathway for vapor intrusion into buildings is complete, however, detected vapor concentrations were compared to Oregon's recently updated vapor intrusion screening levels (VISLs) and were all below the most conservative levels.
- There is no evidence of a potential vapor intrusion risk from the remaining impacted soil that could pose an adverse risk to site occupants or neighboring residents.
- No public notice was conducted because there are no exceedances, no off-site migration, and the responsible party is the owner on record.

Based on the available information, soil conditions at Dave's Shell are currently protective of public health and the environment in accordance with Oregon Administrative Rules 340-122-0205 through 340-122-0360. The site requires no further action unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered. DEQ will update the Leaking Underground Storage Tank (LUST) database to reflect this decision.

This letter only applies to the release discussed above. If any contaminated media is encountered in the future, it must be handled and disposed of in accordance with local, state, and federal regulations.

A copy of the Alpha Environmental closure report and DEQ's Staff Memo supporting this No Further Action decision can be viewed at <https://ormswd2.synergydcs.com/HPRMWebDrawer/Record/6369397>. DEQ recommends keeping a copy of all the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact Tina Elayer at 503-688-3334 or via email at tina.elayer@deq.oregon.gov

Sincerely,

Nancy SAWKA

Nancy Sawka, Interim Acting Manager
Western Region Environmental Cleanup Section

Attachment: Site Map

cc: ORMS LUST36-97-4028 WREC File (with attachments)
Nancy Sawka, Interim Acting Manager, ODEQ nancysawka@deq.oregon.gov
Brad Shultz, Manager, ODEQ bradshultz@deq.oregon.gov
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Marissa and Edwin Martinis, Property Purchasers edwinmartinis@gmail.com



Site Map. Retrieved from Alpha Environmental Site Assessment Report dated May 31, 2023 (Revised 6/30/2023).